



The Court determines that this is an appropriate sanction, but warns Plaintiffs that any future attempts to file frivolous claims rooted in the same or similar allegations will result in monetary sanctions.<sup>1</sup> The Court **rejects** the recommendation insofar as the imposition of monetary sanctions at this time.

Accordingly, Plaintiffs' complaint is **DISMISSED** with prejudice as frivolous and/or for failure to state a claim under 28 U.S.C. §§ 1915A(b)(1) and 1915(e)(2)(B)(i), (ii). Plaintiffs are barred from filing future complaints arising out of the same or similar allegations without leave of Court, and are barred from filing any future complaints *in forma pauperis* without leave of court.

The Court prospectively **CERTIFIES** that any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3). In support of this certification, the Court adopts and incorporates by reference the Magistrate Judge's Findings, Conclusions, and Recommendation. *See Baugh v. Taylor*, 117 F.3d 197, 202 and n. 21 (5th Cir.1997). Based on the Findings and Recommendation, the Court finds that any appeal of this action would present no legal point of arguable merit and would, therefore, be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir.1983). In the event of an appeal, Plaintiffs may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of the Court, U.S. Court of Appeals for the Fifth Circuit. *See Baugh*, 117 F.3d at 202; Fed. R. App. P. 24(a)(5).

**SO ORDERED** on this **17th day of December, 2013.**

  
Reed O'Connor

UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The Court notes that it also allowed notice and an opportunity for *pro se* Plaintiffs to show cause why sanctions should not issue. The Court has reviewed Plaintiffs' responses. While Plaintiffs attempt to argue that their prior vexatious lawsuits arose from different allegations, the Court's independent review of the record shows otherwise.